

Message Text

CONFIDENTIAL

PAGE 01 SEOUL 00827 310924Z
ACTION EA-12

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 PM-05 H-01
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02
SS-15 USIA-06 /064 W
-----098623 310927Z /23
P 310826Z JAN 78
FM AMEMBASSY SEOUL
TO SECSTATE WASHDC PRIORITY 9026

C O N F I D E N T I A L SEOUL 0827

E.O. 11652: GDS
TAGS: SHUM, KS
SUBJECT: HUMAN RIGHTS EVALUATION REPORT

REF: (A) STATE 23816; (B) STATE 24459

1. ACTING DIRECTOR GENERAL AMERICAN AFFAIRS BUREAU, YOO CHONG-HA, CALLED POLCOUNS AFTERNOON JAN 31 TO PRESENT ROK REACTION TO HUMAN RIGHTS EVALUATION REPORT. HE WAS APPRECIATIVE OF DEPARTMENT AGREEMENT TO INSERT TITLE "PRESIDENT" BEFORE THE NAME OF PARK CHUNG-HEE IN SECOND PARAGRAPH OF REPORT AS REPORTED REFTEL B. HE ALSO SAID THAT ROKG FOUND THE REPORT CONTAINED MANY POSITIVE DESCRIPTIONS FOR WHICH IT WAS VERY APPRECIATIVE. HOWEVER, IN THE FIRST SECTION OF THE REPORT, MOFA, IN CONJUNCTION WITH MOJ, WISHED TO NOTE FOLLOWING "FACTUAL" ERRORS. HE SAID THAT WHILE THEY WERE UNHAPPY WITH OTHER OBSERVATIONS, COMMENTS AT THIS TIME WERE BEING LIMITED TO FACTUAL INACCURACIES.

1.A. TORTURE. YOO STATED THAT TORTURE WAS PROHIBITED BY BOTH LAW AND POLICY. IT HAD ALWAYS BEEN PROHIBITED BY LAW AND THIS WAS NOW BACKED BY POLICY DECISION. PERSONS GUILTY OF INFLECTING TORTURE WERE SUBJECT TO CRIMINAL PENALTIES. THUS, TORTURE IS NOW ABSOLUTELY NOT USED IN KOREA IN ANY CASE AND THE FINAL SENTENCE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 SEOUL 00827 310924Z

OF THIS PARAGRAPH IN THE REPORT IS INCORRECT AND MIS-LEADING.

1.D. DENIAL OF FAIR PUBLIC TRIAL. YOO STATED THAT PRESSURE IS NOT APPLIED TO JUDGES SINCE THE LAWS OF THE REPUBLIC ARE SUFFICIENT. THEREFORE, REFERENCE TO SUCH PRESSURE IN THIS SECTION IS FACTUALLY INCORRECT.

WITH RESPECT TO THE TRIALS OF THE MEMBERS OF THE
"PEOPLES REVOLUTIONARY PARTY", THE STATEMENT THAT
THESE WERE "NOT PUBLIC" IS INCORRECT. FAMILY MEMBERS,
DEFENSE COUNSEL, JOURNALISTS AND SOME MEMBERS OF THE PUBLIC
WERE ADMITTED. SPACE LIMITATIONS IN THE COURTROOM PRO-
HIBITED INCLUDING ALL MEMBERS OF THE PUBLIC WHO WISHED
TO ATTEND.

YOO REQUESTED THAT THESE FACTURAL ERRORS BE BROUGHT TO
THE ATTENTION OF THE DEPARTMENT.

2. POLCOUNS INFORMED YOO THAT HE WOULD, OF COURSE,
REPORT ROK COMMENTS TO WASHINGTON FOR USE IN FURTHER
EVALUATON OF THESE ISSUES, BUT NOTED THAT THE REPORT
ITSELF IS NOW FINAL. (COMMENT: INITIAL ROK REACTION
APPEARS QUITE MILD FROM OUR VANTAGE POINT.)
STERN

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 31 jan 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978SEOUL00827
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780045-0887
Format: TEL
From: SEOUL
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t1978013/aaaaacbv.tel
Line Count: 79
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: fae9a1e0-c288-dd11-92da-001cc4696bcc
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 STATE 23816, 78 STATE 24459
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 23 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3724804
Secure: OPEN
Status: NATIVE
Subject: HUMAN RIGHTS EVALUATION REPORT
TAGS: SHUM, KS
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/fae9a1e0-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014